

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

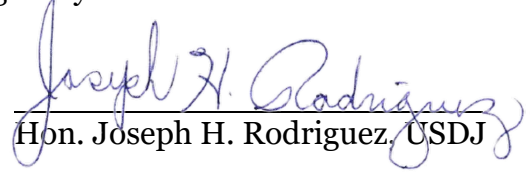
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| <b>UNITED STATES OF AMERICA</b> | : | <b>Hon. Joseph H. Rodriguez</b> |
|                                 | : |                                 |
|                                 | : | <b>CRIM NO. 14-173</b>          |
|                                 | : |                                 |
| <b>v.</b>                       | : | <b>MEMORANDUM ORDER</b>         |
|                                 | : |                                 |
| <b>JEROME JOHNSON</b>           | : |                                 |
|                                 | : |                                 |
|                                 | : |                                 |
|                                 | : |                                 |

This matter comes before the Court on *pro se* Petition by Defendant Jerome Johnson for appointment of counsel to assess Mr. Johnson’s eligibility for a reduction of sentence pursuant to Retroactive Amendment 821, U.S.S.G. § 4A1.1(e); and the Court noting that prior to Amendment 821, offenders were given two additional criminal history points if they committed the underlying offense while under a criminal justice sentence; and the Court further noting that Retroactive Amendment 821 limits the application of these “status points”; and the Court further noting that the protocol in this District includes a preliminary review and recommendation by the Office of the Federal Public Defender and then the United States Attorney’s Office, with a final order prepared by the United States Probation Office; and the Court finding that Mr. Johnson does not require counsel to avail himself of the opportunity for his eligibility to be considered for an adjustment pursuant to Amendment 821; therefore,

IT IS on this 20<sup>th</sup> day of August, 2024 hereby

ORDERED that Mr. Johnson’s Motion [Dkt. No. 103] as it pertains to the appointment of counsel is denied; and it is further

ORDERED that the Federal Public Defender's Office shall initiate the protocol for review of Mr. Johnson's eligibility.

  
Hon. Joseph H. Rodriguez, USDJ